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**From:** Peak, Nicholas  
**To:** Carlin, Jayne  
**Sent:** 4/2/2015 12:22:31 PM  
**Subject:** RE: Reminder: April 2 Oregon CZARA Agriculture Technical Workgroup Meeting: Focus on CAFO MMs

Hi Jayne,

I can't be on the call today, but I'm very interested in the agenda below. I've worked a lot with ODA on CAFO issues in the state.

Nick Peak  
EPA, Region 10  
Idaho Operations Office  
208-378-5765

**From:** Carlin, Jayne  
**Sent:** Wednesday, April 01, 2015 4:34 PM  
**To:** allison.castellan@noaa.gov; rob.walton@noaa.gov; Henning, Alan; Wu, Jennifer; Jacobson, Martin; Flahive, Katie  
**Cc:** Peak, Nicholas; Waye, Don; Byrne, Jennifer; Croxton, Dave  
**Subject:** Reminder: April 2 Oregon CZARA Agriculture Technical Workgroup Meeting: Focus on CAFO MMs

### **Oregon CZARA Agriculture Technical Workgroup Meeting**

April 2 at 1 pm OR/WA or 4 pm MD/VA

**Non-Responsive** or 19B

#### **Agenda**

- Updates
- CAFO: MMs (see attached)
- Updates & Schedule for Ag MMs tech team discussions
- Agenda for Meeting with State Agencies

#### ***Proposed State/EPA/NOAA Ag Agenda***

Welcome from senior management: ODA, EPA, ODEQ (& NOAA)  
Background OR CZARA with focus on Ag (EPA or NOAA)  
ODA Presentation on Agricultural Water Quality Program and Area Plans  
[Need to tee up specific concerns raised during the public and decide how to run these discussions]  
Next Steps

#### **Action Items**

Ag MMs reviews  
CAFOs: Jayne, Alan & Rob  
Grazing: Alan, Rob (Jayne)  
Erosion: Rob, Marty  
Pesticides: Jenny  
Nutrients: Marty  
Irrigation: Alan

Koto, DEQ, is compiling all plan reviews and comments and will provide her evaluations to us by the end of the month. Alan is arranging Koto to join us to discuss her evaluations sometime in April.

Rob will revise his paper to address concerns and suggestions made during the call including adding more scientific detail.

Jayne will follow up with Christine on how to arrange an information sharing meeting with management and staff sometime in May/June\*

\* Email sent on 3/26/14

Hi All,

As discussed, EPA/NOAA would like to set up a meeting with Oregon DEQ, ODA and DLCD during late May, early June in Portland. The purpose of this kick off meeting is to share information about how Oregon's agricultural program addresses the Oregon Agricultural management measures, discuss concerns raised by the public and learn more about what the state is doing or planning on doing to address these concerns. This meeting will be the beginning of an effort for the state and federal agencies to work together to ensure the adequacy of Oregon's agriculture programs and policies for meeting the 6217(g) agriculture management measures and conditions placed on Oregon's Coastal Nonpoint Program, including exploring what actions might be needed in order to address any gaps.

Please complete the doodle poll below and be sure to check to make sure the time zone is correct.

<http://doodle.com/cretnfmqytp5b3>

Please pass on this link to anyone I have missed.

We'll be sharing a draft agenda for review sometime next week.

### **Background**

Based on comments and concerns the federal agencies received about agriculture nonpoint source management in Oregon, on December 20, 2013, NOAA and EPA invited public comment on the adequacy of the State's programs and policies for meeting the CZARA 6217(g) agriculture management measures and conditions placed on Oregon's Coastal Nonpoint Program. In that document, the federal agencies outlined the specific concerns as follows:

- Enforcement is limited and largely complaint-driven; it is unclear what enforcement actions have been taken in the coastal nonpoint management area and what improvements resulted from those actions.
- The AWQMA plan rules are general and do not include specific requirements for implementing the plan recommendations, such as specific buffer requirements to adequately protect water quality and fish habitat.
- AWQMA planning has focused primarily on impaired areas when the focus should be on both protection and restoration.
- The State does not administer a formalized process to track implementation and effectiveness of AWQMA plans.
- AWQMA planning and enforcement does not address "legacy" issues created by agriculture activities that are no longer occurring.

Given these concerns raised, the federal agencies sought comment on the following questions:

- Has the State satisfied the agriculture conditions placed on its coastal nonpoint program?
- Does the State have programs and policies in place that provide for the implementation of the 6217(g) agriculture management measures to achieve and maintain water quality standards and protect designated uses?

Because the December 20, 2013, notice of intent did not propose a specific decision on whether Oregon had satisfied the CZARA 6217(g) agriculture management measures and the public did not have an opportunity to comment on a specific proposed decision and rationale for that decision, the adequacy of Oregon's agriculture programs was not a basis for the findings that Oregon had not submitted an approvable coastal nonpoint program although the decision document acknowledged the comments received regarding the adequacy of Oregon's agriculture programs and policies for meeting the 6217(g) agriculture management measures and conditions placed on Oregon's Coastal Nonpoint Program. However, at that time, the agencies had not made a decision on the adequacy of the agricultural measures.

Regards,

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<http://www.epa.gov/r10earth/tmdl.htm>